S.B. Civil Writ Petition No. 1106/2003

Date of Order : 2/12/2004

HON'BLE MR. PRAKASH TATIA,J.

Mr. H.D. Thanvi, for the petitioner/s
Mr. Shyam Ladrecha, Addl. Govt. Advocate

Heard learned counsel for the parties on the writ petition.

In view of the decision given by this Court in S.B. Civil Writ Petition No. 2808/97 dated 8.9.1997, this writ petition deserves to be allowed.

In view of the reasons given in the above mentioned order, the respondent No.5 Tehsildar – cum-Sub-Registrar, Raipur, District Pali is directed to register the mining-lease deed sent by respondent No.2 vide letter dated 24.4.2002 (Annex.-5) in favour of the petitioner within a period of four weeks, if all other formalities are complied with by the petitioner without insisting no objection certificate of the Collector concerned. The State Government shall not take up proceedings for cancellation of the mining-lease on account of delay in registration of the said lease deed.

The writ petition of the petitioner is, therefore, allowed as mentioned above.

(PRAKASH TATIA)J.

RM/